

U.S. District Court
United States District Court for the Western District of Washington (Tacoma)
CRIMINAL DOCKET FOR CASE #: 3:20-cr-05277-RJB-1

Case title: USA v. West

Date Filed: 08/12/2020

Magistrate judge case number: 3:20-mj-05073-TLF

Date Terminated: 02/26/2021

Assigned to: Judge Robert J. Bryan

Defendant (1)

Deshawn Lamar West
TERMINATED: 02/26/2021

represented by **Emily M Gause**
GAUSE LAW OFFICES PLLC
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

Felon in Possession of a Firearm 18:922(g)
(1)
(1)

Disposition

Custody = 46 months, with recommendation
for placement at FCI Lompoc; supervised
release = 36 months; \$100 SPA; fine waived

Highest Offense Level (Opening)

Felony

Terminated Counts

Felon in Possession of a Firearm 18:922(g)
(1)
(2)

Disposition

Dismissed

Highest Offense Level (Terminated)

Felony

Complaints

18:922G.F - Counts 1 & 2: Felon in
Possession of a Firearm

Disposition

Plaintiff**USA**

represented by **Jessica Murphy Manca**
 US ATTORNEY'S OFFICE (SEA)
 700 STEWART ST
 STE 5220
 SEATTLE, WA 98101-1271
 206-553-7970
 Email: Jessica.Manca@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
03/27/2020	<u>1</u>	COMPLAINT as to Deshawn Lamar West (1). (TW) [3:20-mj-05073-TLF] (Entered: 03/27/2020)
03/30/2020		Arrest of Deshawn Lamar West on 3/30/2020. (TW) [3:20-mj-05073-TLF] (Entered: 03/31/2020)
03/30/2020		Case unsealed as to Deshawn Lamar West (TW) [3:20-mj-05073-TLF] (Entered: 03/31/2020)
03/30/2020	5	CJA 20 Appointment as to Deshawn Lamar West (<i>No.pdf image attached</i>): Appointment of Attorney Emily M Gause for Deshawn Lamar West, Approved by Judge Theresa L Fricke. (TW) [3:20-mj-05073-TLF] (Entered: 03/31/2020)
03/30/2020	<u>6</u>	MOTION for Detention by USA as to Deshawn Lamar West (TW) (Additional attachment(s) added on 3/31/2020: # <u>1</u> Exhibit) (TW). [3:20-mj-05073-TLF] (Entered: 03/31/2020)
03/30/2020	<u>7</u>	NOTICE of Addition of Exhibit 1 as to defendant Deshawn Lamar West re <u>6</u> Government's MOTION for Detention. (Service of corrected image is attached). (TW) [3:20-mj-05073-TLF] (Entered: 03/31/2020)
03/30/2020	8	Minute Entry for proceedings held before Judge Theresa L Fricke- CRD: <i>Traci Whiteley</i> ; AUSA: <i>Jessica Murphy Manca (via conference call)</i> ; Def Cnsl: <i>Jerome Kuh for Emily Gause (via conference call)</i> ; PTS: <i>Jamie Halvorson (via conference call)</i> ; Time of Hearing: <i>2:30pm</i> ; Courtroom: <i>F</i> ; Session #: <i>TAC200330</i> ; INITIAL APPEARANCE AND DETENTION HEARING as to Deshawn Lamar West held on 3/30/2020. Defendant present via video conference due to COVID-19 and the General Orders 03-20 and 04-20. Court confirms receipt of Defendant's Waiver of In-Person Appearance and Consent to Proceed by Video/Telephonic Conference. Financial affidavit previously reviewed and counsel appointed. Defendant advised of rights and charges. Argument on the detention issue. For reasons stated on the record, the Court orders the defendant DETAINED. Defendant remanded to custody. Preliminary Examination set for 4/13/2020 at 10:00 AM in D Courtroom before Judge J Richard Creatura. (TW) [3:20-mj-05073-TLF] (Entered: 03/31/2020)
03/30/2020	<u>9</u>	WAIVER of In-Person Appearance and Consent to Proceed by Video/Telephonic Conference by defendant Deshawn Lamar West (TW) [3:20-mj-05073-TLF] (Entered: 03/31/2020)

03/30/2020	10	NOTICE OF INVOCATION OF RIGHTS AT INITIAL APPEARANCE by Deshawn Lamar West (TW) [3:20-mj-05073-TLF] (Entered: 03/31/2020)
03/30/2020	11	Arrest Warrant Returned Executed on 3/30/2020 in case as to Deshawn Lamar West. (TW) [3:20-mj-05073-TLF] (Entered: 03/31/2020)
04/01/2020	12	DETENTION ORDER PENDING TRIAL as to Deshawn Lamar West by Judge Theresa L Fricke. (cc: PTS, USMO) (TW) [3:20-mj-05073-TLF] (Entered: 04/01/2020)
04/22/2020	13	MOTION for Extension of Time to Indict by USA as to Deshawn Lamar West (Attachments: # 1 Proposed Order) Noting Date 5/1/2020, (Manca, Jessica) [3:20-mj-05073-TLF] (Entered: 04/22/2020)
04/22/2020	14	Minute Entry for proceedings held before Judge J Richard Creatura- CRD: <i>K Miller</i> ; AUSA: <i>Jessica Manca</i> ; Def Cnsl: <i>CJA Emily Gause</i> ; Court Reporter: <i>Barry Fanning</i> ; Time of Hearing: <i>10:00 AM</i> ; Courtroom: <i>WebEX Telephonic/Audio Conference</i> ; Defendant present in custody at FDC SeaTac and appears via video conference. Court addresses need for video hearing per COVID-19. Defendant Consents to appear by video. PRELIMINARY HEARING as to Deshawn Lamar West held on 4/22/2020. Govn't calls FBI Agent Ben Harrison; witness sworn/testifies. Govn't Exh 1 - Redacted Complaint offered/admitted. Probable cause found as to Counts 1 & 2. Defendant remains in custody at FDC SeaTac. (KAM) [3:20-mj-05073-TLF] (Entered: 04/27/2020)
04/23/2020		MOTION REFERRED: as to Deshawn Lamar West re 13 MOTION for Extension of Time to Indict is referred to Judge David W. Christel (TW) [3:20-mj-05073-TLF] (Entered: 04/23/2020)
04/28/2020	15	RESPONSE, by Deshawn Lamar West, to 13 MOTION for Extension of Time to Indict . (Gause, Emily) [3:20-mj-05073-TLF] (Entered: 04/28/2020)
05/08/2020	16	ORDER EXTENDING TIME TO FILE INDICTMENT as to Deshawn Lamar West, re 13 MOTION for Extension of Time to Indict filed by USA, by Judge David W. Christel. (cc: PTS, USPO, USMO) (KEB) [3:20-mj-05073-TLF] (Entered: 05/08/2020)
06/23/2020	17	MOTION for Extension of Time to Indict by USA as to Deshawn Lamar West (Attachments: # 1 Proposed Order) Noting Date 7/3/2020, (Manca, Jessica) [3:20-mj-05073-TLF] (Entered: 06/23/2020)
06/29/2020	18	RESPONSE, by Deshawn Lamar West, to 17 MOTION for Extension of Time to Indict . (Gause, Emily) [3:20-mj-05073-TLF] (Entered: 06/29/2020)
06/30/2020		MOTION REFERRED: as to Deshawn Lamar West re 17 MOTION for Extension of Time to Indict is referred to Judge J Richard Creatura (TW) [3:20-mj-05073-TLF] (Entered: 06/30/2020)
06/30/2020	19	REPLY, by USA as to Deshawn Lamar West, TO RESPONSE to 17 MOTION for Extension of Time to Indict (Manca, Jessica) [3:20-mj-05073-TLF] (Entered: 06/30/2020)
07/06/2020	20	ORDER granting 17 Motion for Extension of Time to Seek Indictment; as to Deshawn Lamar West (1), signed by Judge J Richard Creatura. (KAM) [3:20-mj-05073-TLF] (Entered: 07/06/2020)
08/12/2020	21	INDICTMENT as to Deshawn Lamar West (1) counts 1-2. (Attachments: # 1 Status Sheet) (TW) (Entered: 08/13/2020)
08/12/2020	22	SEALED Signature Page to 21 Indictment as to Deshawn Lamar West. (TW) (Entered: 08/13/2020)
08/12/2020	23	ORDER CONTINUING DETENTION as to Deshawn Lamar West by Hon. Mary Alice

		Theiler. (TW) (Entered: 08/13/2020)
08/14/2020	24	Letter scheduling arraignment for defendant Deshawn Lamar West. Arraignment set for 8/25/2020 at 09:00 AM in C Courtroom before Judge David W. Christel. (Manca, Jessica) (Entered: 08/14/2020)
08/25/2020	25	Minute Entry for proceedings held before Judge David W. Christel- CRD: <i>K Brye</i> ; AUSA: <i>Hillary Stuart for Jessica Manca</i> ; Def Cnsl: <i>Emily Gause</i> ; Court Reporter: <i>Barry Fanning</i> ; Time of Hearing: <i>10:00 AM</i> ; Session #: <i>WebEx Audio/Video Conference</i> ; ARRAIGNMENT VIA WEBEX as to Deshawn Lamar West (1) Counts 1-2 held on 8/25/2020. Court addresses need for telephonic/video hearing due to COVID-19. Defendant consents to telephonic/video appearance. Defendant advised of charges and penalties. Defendant pleads NOT GUILTY to all charges. Defense Counsel requests discovery pursuant to Local Rule. Defendant remains in custody. Motions due by 9/15/2020, Jury Trial is set for 10/19/2020 at 09:30 AM in Courtroom A before Judge Robert J. Bryan. <i>Proposed Trial Exhibits Due By: 10/19/2020</i> . Pretrial Conference set for 10/9/2020 at 08:30 AM in Courtroom A before Judge Robert J. Bryan. (KEB) (Entered: 08/25/2020)
09/15/2020	26	Unopposed MOTION to Continue Trial by Deshawn Lamar West. (Attachments: # 1 Proposed Order) Noting Date 9/15/2020, (Gause, Emily) (Entered: 09/15/2020)
09/17/2020	27	ORDER CONTINUING TRIAL DATE as to Deshawn Lamar West re 26 Unopposed MOTION to Continue Trial, signed by Judge Robert J. Bryan. (Jury Trial is RESET for 11/30/2020 at 09:30 AM in Courtroom A before Judge Robert J. Bryan, Motions due by 10/20/2020, Pretrial Conference set for 11/20/2020 at 08:30 AM in Courtroom A before Judge Robert J. Bryan.) (cc: PTS/USPO, USMO)(TC) (Entered: 09/17/2020)
10/07/2020	28	ORDER RESETTING TRIAL DATE as to Deshawn Lamar West by Judge Robert J. Bryan. Jury Trial is RESET for 11/16/2020 at 09:30 AM in Courtroom A before Judge Robert J. Bryan. Telephonic Pretrial Conference set for 11/6/2020 at 08:30 AM before Judge Robert J. Bryan. (cc: PTS/USPO, USMO)(TC) (Entered: 10/07/2020)
10/29/2020	29	NOTICE OF HEARING as to Deshawn Lamar West. (cc: USPO, PTS, USMO) Change of Plea Hearing set for 11/2/2020 at 09:45 AM via Zoom before Judge David W. Christel. (KEB) (Entered: 10/29/2020)
10/30/2020	30	Stipulated MOTION to Authorize Remote Plea Hearing by USA as to Deshawn Lamar West (Attachments: # 1 Proposed Order) Noting Date 10/30/2020, (Manca, Jessica) (Entered: 10/30/2020)
10/30/2020	31	ORDER Authorizing Remote Plea Hearing signed by Judge Robert J. Bryan, granting 30 Motion as to Deshawn Lamar West (1). (TC) (Entered: 10/30/2020)
11/02/2020	32	CONSENT TO RULE 11 PLEA in a felony case as to Deshawn Lamar West (KEB) (Entered: 11/02/2020)
11/02/2020	33	PLEA AGREEMENT as to Deshawn Lamar West (cc: USPO, FLU, AFU) (KEB) (Entered: 11/02/2020)
11/02/2020	34	Minute Entry for proceedings held before Judge David W. Christel- CRD: <i>Kim Brye</i> ; AUSA: <i>Jessica Manca</i> ; Def Cnsl: <i>Emily Gause</i> ; Court Reporter: <i>Barry Fanning</i> ; Time of Hearing: <i>9:45 AM</i> ; Session #: <i>Zoom Audio/Video</i> ; CHANGE OF PLEA HEARING VIA ZOOM as to Deshawn Lamar West held on 11/2/2020. Defendant present in custody at FDC SeaTac and appears via video. Court addresses need for video hearing per COVID-19. Defendant consents to appear by video. Defendant placed under oath and advised of rights/charges/penalties; Defendant executes Consent to Rule 11 Plea in a felony case before a U.S. Magistrate Judge; Education = some highschool; Court reviews the plea

		agreement; Deshawn Lamar West (1) pleads GUILTY to Count 1. Remaining Counts to be dismissed at sentencing. Court finds the Defendant is competent to enter a guilty plea; Court signs the Report and Recommendation and Counsel have fourteen days to file objections; Court orders the preparation of a Presentence Report. Defendant remanded to custody. Sentencing set for 1/28/2021 at 10:00 AM in Courtroom A before Judge Robert J. Bryan. (KEB) (Entered: 11/02/2020)
11/02/2020	35	REPORT AND RECOMMENDATION re Plea of Guilty as to Deshawn Lamar West by Judge David W. Christel. (cc: USPO) Noting Date 11/17/2020. (Attachments: # 1 Proposed Acceptance of Plea)(KEB) (Entered: 11/02/2020)
11/02/2020	36	ORDER FOR SENTENCING PROCEDURE as to Deshawn Lamar West by Judge Robert J. Bryan. (cc: USPO and PTS) Sentencing set for 1/28/2021 at 10:00 AM in Courtroom A before Judge Robert J. Bryan. (KEB) (Entered: 11/02/2020)
12/02/2020	37	ORDER OF ACCEPTANCE OF PLEA OF GUILTY, ADJUDICATION OF GUILT, AND NOTICE OF SENTENCING as to Deshawn Lamar West by Judge Robert J. Bryan. (cc: USPO) (TC) (Entered: 12/02/2020)
12/29/2020	38	NOTICE OF RESCHEDULED HEARING as to Deshawn Lamar West By request of the parties, Sentencing RESET to 2/26/2021 at 11:00 AM in Courtroom A before Judge Robert J. Bryan. (cc: USPO, PTS, USMO) (TC) (Entered: 12/29/2020)
02/19/2021	41	SENTENCING MEMORANDUM by USA as to Deshawn Lamar West (Manca, Jessica) (Entered: 02/19/2021)
02/19/2021	42	SENTENCING MEMORANDUM by Deshawn Lamar West (Attachments: # 1 Exhibit A) (Gause, Emily) (Entered: 02/19/2021)
02/26/2021	43	Minute Entry for proceedings held before Judge Robert J. Bryan- CRD: <i>Tyler Campbell</i> ; AUSA: <i>Jessica Manca</i> ; Def Cnsl: <i>Emily Gause</i> ; USPO: <i>Kelly Neumeister</i> ; Court Reporter: <i>Barry Fanning</i> ; Time of Hearing: <i>11:00</i> ; Zoom SENTENCING held on 2/26/2021 for Deshawn Lamar West (1). Defendant agrees to proceed via video conference. Sentencing guidelines addressed. Recommendations by counsel. Count(s) 1, Custody = 46 months, with recommendation for placement at FCI Lompoc; supervised release = 36 months; \$100 SPA; fine waived. Count(s) 2, Dismissed. Defendant advised of appeal rights. Defendant(s) remanded to custody. (TC) (Entered: 02/26/2021)
02/26/2021	44	JUDGMENT as to Deshawn Lamar West by Judge Robert J. Bryan. (cc: USPO, PTS, FLU, Fin., USMO, Sea Tac Det) (TC) (Entered: 02/26/2021)